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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/845,897	04/28/1997	M. ASHRAF IMAM	77897-US1	8846
26384 7590 02/19/2009 NAVAL RESEARCH LABORATORY ASSOCIATE COUNSEL (PATENTS) CODE 1008.2 4555 OVERLOOK AVENUE, S.W. WASHINGTON, DC 20375-5320				
EXAMINER				
VO, HAI				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
02/19/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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08845897	4/28/1997	IMAM ET AL.	77897-US1

NAVAL RESEARCH LABORATORY
ASSOCIATE COUNSEL (PATENTS)
CODE 1008.2
4555 OVERLOOK AVENUE, S.W.
WASHINGTON, DC 20375-5320

EXAMINER

Hai Vo

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20090216

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Commissioner for Patents

In view of the 02/06/2009 Remand from the Board of Patent Appeals and Interferences (BPAI), the Examiner's Answer mailed February 8, 2008 is defective because the Akiyama reference (US 4,713,277) is missing from the Evidence Relied Upon Section. The PTO-90 form is deemed necessary to correct the deficiency. As such, the Akiyama reference is further added under the Evidence Relied Upon, paragraph (8) as follows:
4,713,277 AKIYAMA et al 12- 1987

A copy of the PTO-90 form is provided to the Applicants for convenience. The application is thus forwarded to the BPAI for decision on the appeal.

/Hai Vo/
Primary Examiner, Art Unit 1794